

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, AFL-CIO,

ASSOCIATION OF ADMINISTRATIVE LAW
JUDGES, International Federation of Professional and
Technical Engineers Judicial Council 1, AFL-CIO,

VANESSA BARROW, GEORGE JONES, DEBORAH
TOUSSANT, and DOES 1–100,

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL MANAGEMENT, an
agency of the United States,

CHARLES EZELL, in his official capacity as Acting
Director of the Office of Personnel Management,

U.S. DOGE SERVICE f/k/a U.S. DIGITAL SERVICE,

ACTING U.S. DOGE ADMINISTRATOR,

U.S. DOGE TEMPORARY SERVICE a/k/a the
“DEPARTMENT OF GOVERNMENT EFFICIENCY,”
and

ELON MUSK, in his capacity as director of the U.S.
DOGE TEMPORARY SERVICE,

Defendants.

Case No. 1:25-CV-01237-DLC

**[PROPOSED] ORDER
TO SHOW CAUSE FOR
TEMPORARY
RESTRAINING
ORDER**

ORDER

Upon the copy of the complaint, Motion, sworn Declarations, and upon hearing, it is ORDERED, that, sufficient reason having been shown pursuant to Fed. R. Civ. P. 65: (1) Defendants are enjoined from disclosing to DOGE-affiliated agents any OPM records, as defined

by the Privacy Act; from granting DOGE-affiliated agents access to OPM's records; and from allowing such agents to obtain personal information about individuals contained therein; (2) Defendants are enjoined to ensure future disclosure of individual records will occur only in accordance with the Privacy Act and the Administrative Procedure Act; (3) DOGE Defendants are enjoined to impound and destroy all copies of individuals' personal information that has been unlawfully disclosed by OPM; (4) Defendants are enjoined to file a status report within 48 hours of the issuance of this order indicating whether any DOGE-affiliated agents continue to have access to any OPM systems that contain records and whether DOGE Defendants have destroyed all copies.

The DOGE Defendants include U.S. DOGE Service f/k/a Digital Service ("USDS"), the unidentified Acting Director of USDS, the U.S. DOGE Service Temporary Organization a/k/a the "Department of Government Efficiency" ("DOGE"), and Elon Musk, in his capacity as director.

DATED: _____

ISSUED: _____

United States District Judge

CERTIFICATE OF SERVICE

Counsel for Plaintiffs certify that they have sent—through Defendants’ counsel Christopher Hall at the U.S. Department of Justice Federal Programs Branch —notice of this motion.

Plaintiffs’ counsel will immediately send electronically copies of the filing to Defendants’ counsel and will serve subsequent registered participants electronically and paper copies will be sent to any non-registered participants.

Dated: February 14, 2025

/s/ Rhett O. Millsaps II
Rhett O. Millsaps II